

MINUTES

Board of Zoning Appeals

February 23, 2009

4:00 P.M.

City Hall, Council Chambers
Fredericksburg, Virginia

<u>MEMBERS PRESENT</u>	<u>MEMBERS ABSENT</u>	<u>STAFF</u>
Richard Conway, Vice Chair		Debra M. Ward, Zoning Officer
Roy Gratz		Sheree Waddy, Recording
Janet Sokol		Secretary
Helen Ross		

Call to Order

Mr. Conway called the meeting to order at 4:00 p.m.

Determination of a Quorum

Mr. Conway determined that a quorum was present.

Public Hearing Item

V09-01: Variance from Zoning Ordinance section 78-484(2)(a) and (b), 1611 Princess Anne Street, zoned CT, Commercial Transitional to reduce the minimum left side yard setback from 15.0' to 5.0' and the front yard setback from 30.0' to 1.2' in order to construct an addition to the existing restaurant at 1612 Caroline.

The applicant, Gregory Harding, was present. He explained that without the variances the size of the lot would prohibit him from developing the property.

Ms. Sokol asked if this project would be in compliance with relevant Building and Fire Codes.

Mr. Harding said yes.

Mr. Conway asked if there were any substantial changes from the plan that was previously approved by this Board.

Mr. Harding said no.

Mr. Conway asked if the plan would include any additional parking.

Mr. Harding said the owner of Olde Towne Paint and Glass at 1623 Princess Anne Street, would allow them to use ten of his parking spaces in the evening.

Ms. Sokol asked if the entry to the restaurant would remain the same.

Mr. Harding said the entrance would be on Princess Anne Street.

Joyce Nadeau, 3533 Massaponax Church Road, Spotsylvania, Virginia, said her brother, who is disabled, lived at 1614 Caroline Street. She was concerned about the parking. She said there have been problems with restaurant patrons using all the on-street parking in the evening. There was a reserved for handicap parking sign in front of her brother's house, but restaurant patrons still parked there. She was also concerned about the stormwater runoff from the addition. She said the applicants have been good neighbors, but the parking has been an issue. Ms. Nadeau added that she would like Mr. Harding to install a privacy fence because as it is her brother has no privacy.

Mr. Gratz asked for clarification on the location of the property Ms. Nadeau referred to in relation to the applicant's property.

Mr. Harding showed the Board where 1614 Caroline Street was in relation to his property and how the runoff would be handled.

Mr. Conway asked if there had ever been a privacy fence on the property.

Mr. Harding said no.

Ms. Sokol said that the only complaints were about a parking space and a privacy fence, which were not within the Board's purview.

Mr. Gratz said the concern about the parking space and privacy fence were appropriate issues for the Planning Commission, which could be considered when the applicant's Special Use Permit was heard.

Mr. Gratz made a motion to grant a variance to reduce the minimum required front yard setback from 30 feet to 1.2 feet, a variance of 28.8 feet. Ms. Ross seconded. The motion carried unanimously.

Mr. Gratz made a motion to grant a variance to reduce the minimum required left side yard setback from 15 feet to 5 feet, a variance of 10 feet. Ms. Sokol seconded. The motion carried unanimously.

Election of Officers

Mr. Conway asked for nominations for Chair and Vice Chair.

Ms. Sokol nominated Mr. Conway for Chair and Mr. Gratz for Vice Chair. There were no additional nominations.

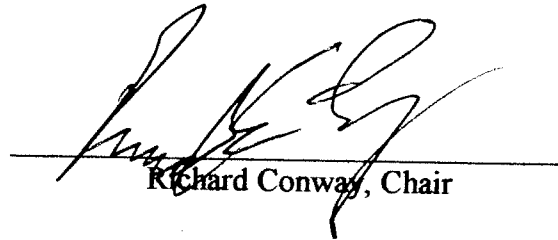
Mr. Conway called for the vote. The motion carried unanimously.

Review of Minutes

Mr. Conway asked if there were any changes to the January 26, 2009 meeting minutes.

Mr. Gratz made a motion to accept the minutes as submitted. Mr. Conway seconded. The motion carried unanimously.

The meeting adjourned at 4:40 p.m.



Richard Conway, Chair